

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JOSEPH F. GAZZO, II	§	PLAINTIFF
	§	
v.	§	CIVIL ACTION NO. 1:09CV719-LG-RHW
	§	
MISSISSIPPI DEPARTMENT OF PUBLIC	§	
SAFETY; GEORGE PHILLIPS,	§	
individually; CHARLES V. "CHARLIE"	§	
WILLIAMS, individually; STEPHEN	§	
SIMPSON, individually; HOUSTON	§	
DORR, individually; JOHN PERKINS,	§	
individually; and JOHN DOES 1-2	§	DEFENDANTS

ORDER GRANTING STEPHEN SIMPSON'S MOTION TO DISMISS

BEFORE THE COURT is the Motion to Dismiss [36] filed by Stephen Simpson. For the reasons stated in this Court's Memorandum Opinion and Order Granting Charles Williams' Motion for Summary Judgment [33] and this Court's Order Granting Motion for Judgment on the Pleadings filed by John Perkins and Motion to Dismiss filed by Houston Dorr [34], the Court finds that Simpson's Motion to Dismiss should be granted. The Court also notes that Simpson was appointed as Public Safety Commissioner after the events alleged in Gazzo's complaint.

IT IS THEREFORE ORDERED AND ADJUDGED that the Motion to Dismiss [36] filed by Stephen Simpson is **GRANTED**. Gazzo's claims against Simpson are hereby **DISMISSED**.

SO ORDERED AND ADJUDGED this the 14th day of May, 2010.

s/ Louis Guirola, Jr.
Louis Guirola, Jr.
United States District Judge